

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DARIUS CORNELIUS FORD

PETITIONER

VS.

CIVIL ACTION NO. 3:18CV476TSL-JCG

SUPERINTENDENT JACQUELYN BANKS

RESPONDENT

ORDER

This cause came on this date to be heard upon the report and recommendation of United States Magistrate John C. Gargiulo, and the court, no objection having been filed and having fully reviewed the report and recommendation entered in this cause on April 11, 2019, and no objection having been filed and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge John C. Gargiulo entered on April 11, 2019, be, and the same is hereby adopted as the finding of this court. Accordingly, the petition for writ of habeas corpus, filed pursuant to § 2254, is hereby dismissed and petitioner's motion for judgment on the pleadings is denied.

It is further ordered that a certificate of appealability is denied. Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right." Slack v.

McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 18th day of June, 2019.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE